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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,754	06/23/2003	Cheng Chou Liao	GIA 190	5703
75	03/09/2005		EXAM	INER
RABIN & BERDO, P.C.			TON, ANABEL	
Suite 500	+ NI W		ART UNIT	PAPER NUMBER
1101 14th Stree Washington, D				
washington, D	C 20003		2875	
			DATE MAILED: 03/09/2005	5

Please find below and/or attached an Office communication concerning this application or proceeding.

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	Application No.	Applicant(s)	
	10/600,754	LIAO, CHENG CHOU	
Office Action Summary	Examiner	Art Unit	
	Anabel M. Ton	2875	
The MAILING DATE of this communication Period for Reply	n appears on the cover sheet wi	th the correspondence address -	••
A SHORTENED STATUTORY PERIOD FOR F THE MAILING DATE OF THIS COMMUNICAT  - Extensions of time may be available under the provisions of 37 C after SIX (6) MONTHS from the mailing date of this communicat  - If the period for reply specified above is less than thirty (30) days  - If NO period for reply is specified above, the maximum statutory  - Failure to reply within the set or extended period for reply will, by Any reply received by the Office later than three months after the earned patent term adjustment. See 37 CFR 1.704(b).	ION.  FR 1.136(a). In no event, however, may a recon.  The property is a reply within the statutory minimum of thirt period will apply and will expire SIX (6) MON statute, cause the application to become AB	eply be timely filed  (30) days will be considered timely.  THS from the mailing date of this communication  ANDONED (35 U.S.C. § 133).	ation.
Status			
1)⊠ Responsive to communication(s) filed on	29 November 2004.		
_	This action is non-final.		
3) Since this application is in condition for al	llowance except for formal matte	ers, prosecution as to the merits	s is
closed in accordance with the practice ur	nder <i>Ex parte Quayle</i> , 1935 C.D	. 11, 453 O.G. 213.	
Disposition of Claims			
4)⊠ Claim(s) 1-10 is/are pending in the applic	ation.		
4a) Of the above claim(s) is/are with	thdrawn from consideration.		
5) Claim(s) is/are allowed.			
6)⊠ Claim(s) <u>1-10</u> is/are rejected.			
7) Claim(s) is/are objected to.			
8) Claim(s) are subject to restriction a	and/or election requirement.		•
Application Papers			
9) ☐ The specification is objected to by the Exa	aminer.		
10) The drawing(s) filed on is/are: a)	accepted or b) objected to	by the Examiner.	
Applicant may not request that any objection	to the drawing(s) be held in abeyan	ce. See 37 CFR 1.85(a).	
Replacement drawing sheet(s) including the o	correction is required if the drawing	s) is objected to. See 37 CFR 1.12	21(d).
11)☐ The oath or declaration is objected to by t	he Examiner. Note the attached	Office Action or form PTO-152	2.
Priority under 35 U.S.C. § 119			
12) Acknowledgment is made of a claim for for a) All b) Some * c) None of:  1. Certified copies of the priority docu 2. Certified copies of the priority docu 3. Copies of the certified copies of the application from the International E * See the attached detailed Office action for	ments have been received. ments have been received in A e priority documents have been sureau (PCT Rule 17.2(a)).	pplication No received in this National Stage	
Attachment(s)			
1) Notice of References Cited (PTO-892)	4) $\prod$ Interview S	summary (PTO-413)	
2) Notice of Draftsperson's Patent Drawing Review (PTO-94	Paper No(s	)/Mail Date	
3) Information Disclosure Statement(s) (PTO-1449 or PTO/S Paper No(s)/Mail Date	SB/08) 5) Notice of II 6) Other:	nformal Patent Application (PTO-152)	

## **DETAILED ACTION**

## Response to Arguments

1. Applicant's arguments with respect to claims 1-3 have been considered but are moot in view of the new ground(s) of rejection.

## Claim Rejections - 35 USC § 103

- 1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
  - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 2. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wood and further in view of Molinaroli (6,265,984).

Wood discloses the claimed invention except for the recitation of two illuminating tubes (as opposed to one) with a sealing means. Wood discloses an illuminated skateboard with a string of LED's embedded in the periphery of the skateboard and a control box being provided on the underside of the skateboard. The peripheral groove around the entirety of the skateboard is filled with a continuous string of LED's which are covered with resin or hot injected glue (col. 1 lines 35-39), each embedded LED string being disposed in a groove. Molinaroli discloses and LED lighting system for use in multiple applications, mainly attaching to objects, the LED lighting system with a long wire lead are put into clear shrink tubing lined with a sealant. The shrink tubing is heated until it shrinks and permanently seals the tubing (col. 18 liens 1-3, 27-34). With

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regards to the multiplicity of tubes, It would have been obvious to one of ordinary skill in the art at the time the invention was made to use two LED strips instead of one in the device of Wood since it has been held that mere duplication of essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

- 3. With regards to the LED's encased in a sealed tubing, it would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teaching of a sealed tubing in the device of Wood (instead of sealing the LED string in resin) since as taught by Molinaroli, such a practice is purposeful to prevent damage by environmental elements to the lighting device.
- With regards to the recitation of dust covers as a sealing means, it would have been obvious to one of ordinary skill in the art at the time the invention was made to use front and rear covers to seal off a tubing from dust since such a practice is old and well known in the art for preventing environmental damage to the lighting device and for facilitating accessibility to the lighting device when necessary (see cited prior art Bodell et al for teaching);
- The tubes are flexible and impact resistant (Molinaroli)
- A skateboard comprising a board, at least one hollow generally cylindrical transparent tube attached to the side of the board and a plurality of light emitting elements disposed inside the transparent tube (above rejection applies);
- A conductor operatively connecting the light emitting elements to the control box (Wood)

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anabel M. Ton whose telephone number is (571) 272-2382. The examiner can normally be reached on 08:00-16:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Anabel M Ton Examiner Art Unit 2875

**AMT** 

Stephen Husar Primary Examiner